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Letter dated 29 July 2013 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

I should like to draw your attention to the information contained in the background note on the cross-border impact of pollutant emissions from the State-owned enterprise Tajik Aluminium Company (Talco) on the population and the environment in the northern regions of the Surkhandarya province of Uzbekistan. That document was submitted by the Permanent Mission of the Republic of Uzbekistan to the United Nations as a document of the sixty-seventh session of the General Assembly under agenda item 20 (A/67/872).

The information contained therein on the activities of Talco and its impact on the environment is biased and lacking in objectivity. Moreover, there is some doubt as to the reliability of the facts and figures presented and the methods of calculation used to obtain them. It is well known that an objective, research-based assessment of the impact of industrial facilities on the local environment, health and gene pool and the regional ecosystem requires observations and research involving sophisticated technology and carried out over the course of many years by skilled professionals. In that connection, and in order to provide objective, accurate information on environmental problems linked to the activity of industrial facilities in the border areas of the Republics of Tajikistan and Uzbekistan, I have the honour to transmit herewith the observations of Tajikistan on the document referred to above (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the sixty-seventh session of the General Assembly, under agenda item 20.

(*Signed*) Sirodjidin **Aslov**
Permanent Representative

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Annex to the letter dated 29 July 2013 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Observations on the letter dated 20 May 2013 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General of the United Nations

Background note on the cross-border impact of pollutant emissions from the State-owned enterprise Tajik Aluminium Company (Talco) on the population and the environment in the northern regions of the Surkhandarya province of Uzbekistan

The Tajik Aluminium Plant (hereinafter, "Talco") began operations in 1975. From 1980 to 1990, it had more than 7,000 employees who were resident in Uzbekistan. In those years, the economies of Tajikistan and Uzbekistan were part of an integrated economic system, and cross-border environmental problems were jointly examined and addressed on the basis of mutually agreed conditions and international practice. That approach continued for a few years after the two countries became independent. The Agreement of 17 November 1994 on cooperation to improve the environmental situation in the area adversely affected by the Tajik Aluminium Plant, signed by the Governments of both countries, is an example of that approach. A joint scientific research programme to improve environmental protection in the Talco area for the period from 1996 to 2000 was developed to implement the agreement. Four joint research and applied conferences and workshops were held as part of that programme, two of them taking place in the Republic of Uzbekistan.

Talco carried out a social programme in Uzbekistan based on that agreement, building four fully equipped out-patient clinics, an infirmary and three schools, each designed to accommodate 240 pupils, and drilling 30 water wells.

Under the agreement, the parties were to conduct joint scientific, technical and environmental programmes, regular inspections and other activities. From 1989 to 1994, samples were jointly collected for analysis in Uzbekistan by the multi-sectoral laboratory for the study of environmental pollution in Sarias, Uzbekistan and by the laboratory at Talco. The analyses indicated that during that period there was not one recorded case of hydrogen fluoride emissions in excess of the monthly average maximum permissible concentration, except in 1989.

To ensure daily information exchange and joint monitoring of atmospheric air conditions, Talco set up a direct telephone link and paid to equip three 24-hour monitoring stations in the Sariosiyo and Dashnabad regions of Uzbekistan. For unknown reasons, those facilities have been dismantled completely.

The bilateral agreement was concluded for a period of three years, to be extended for an additional five years. However, after Uzbekistan unilaterally closed the border, it became impossible to implement its main provisions, and Tajikistan had no opportunity to analyse the condition of the soil and water in the Republic of Uzbekistan jointly with Uzbek specialists. The agreement expired in 2002, and for the reasons given, it was not extended.

Talco considers its environmental activity central to its business and sees it as a contribution to implementation of the State Environmental Programme of the Republic of Tajikistan for the period 2009 to 2019 and other national and international legislative and regulatory acts.

Aluminium production is among the most advanced and environmentally friendly of metallurgical processes. When the Talco plant began operations, it used cutting-edge gas and dust removal devices and sophisticated technological procedures.

An environmental protection management system is in place at the plant and evolves in accordance with international requirements and national standards. A dedicated unit addresses environmental issues, retaining the services of specialized organizations, scientific research institutes and laboratories that carry out regular monitoring of environmental conditions and scientific research to study the condition of the ecosystem and public health in Talco's area of operations and the adjoining areas.

As part of implementation of Talco's environmental strategy, the ISO-14000 international integrated management system was introduced three years ago.

An international audit was conducted on 5 July 2013 to determine whether the concern's environmental safety system was in compliance with international standards. The audit confirmed that the Talco environmental safety system was in compliance with ISO-14000 (environmental management system) and OHSAS-18000 (occupational health and safety). Back in 2008, Talco was the first company in Central Asia to adopt the ISO-9000 quality management system (international quality certifications). The audit was conducted by TÜV SAAR CERT, an internationally prominent German organization with an unimpeachable reputation in standardization practice worldwide. The international auditors' group included experts from France, Lithuania and Kazakhstan.

The Environmental Protection Committee of the Government of the Republic of Tajikistan regularly monitors environmental conditions in the Talco environmental impact area. The monitoring results are transparent and available to civil society, the business community and international organizations alike. The Committee's approach meets the requirements of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) to which Tajikistan acceded in 2001. According to the samples taken, concentrations of hydrogen fluoride, solid fluorides, and carbon nitrogen and sulphur oxides fall below the maximum permissible concentrations set for those substances, in the health protection area as well as in the border areas.

On 1 June 2013, Talco signed an agreement with the centre for innovative development, established with support from the Mainstreaming Human Development in Tajikistan project of the United Nations Development Programme (UNDP), to conduct independent expert assessments analysing the impact of Talco's operations on the socioeconomic and environmental situation in the district of Tursunzoda. The study's conclusions will be included in a United Nations report on human development in Tajikistan. The UNDP independent expert assessment will provide an accurate portrayal of the environmental situation at the aluminium plant and in the adjacent areas.

Aware of the need for technical upgrades at the aluminium plant to ensure industrial safety and environmental sustainability, Talco has, over just the past five years, allocated 464.1 million somoni (some 100 million dollars) for the purpose.

All of these steps taken by the plant point to its commitment to addressing environmental problems in the region and meeting international environmental standards, including the Kyoto Protocol to the United Nations Framework Convention on Climate Change, to which the Republic of Tajikistan is party.

In that connection, Talco's management has indicated the company's readiness to pay for restoration of the three 24-hour monitoring stations in the Sariosiyo and Dashnabad regions in Uzbekistan.

There is some doubt as to the reliability of the data and figures presented by Uzbekistan and as to the methods of calculation used to obtain them. It is well known that an objective, research-based assessment of the impact of industrial plants on the local environment, health and gene pool and the regional ecosystem requires observations and research involving sophisticated technology and carried out over the course of many years by skilled professionals.

At the same time, Tajikistan wishes to draw attention to the adverse impact on border areas in Tajikistan from facilities that are located in Uzbekistan. Massive metallurgical complexes, cement plants and power stations in the Bekabad and Almalyk districts of Uzbekistan have been spewing waste and emissions for over half a century now, causing significant contamination to the territory, atmosphere and water resources of the northern border areas of Tajikistan. The affected areas, in the Spitamensk, Jabbor Rasulov, Bobodjongafurov, Matchinsk, Asht and Zafarabad districts, are home to more than 600,000 people. Experts have assessed the material damage at hundreds of millions of dollars. Most important, however, is the very tangible harm to human health.

While harmful emissions from Tajikistan's enterprises total 0.12 million tons each year, Uzbekistan's enterprises emit an amount that is 18 times more than that, up to 2.2 million tons annually.

Tajikistan has repeatedly attempted to resume joint activity to seek mutually acceptable ways of addressing the environmental problems caused by industrial plants in the two countries' border areas. In accordance with the Protocol signed at the second session of the joint Tajik-Uzbek commission on trade and economic cooperation (held in Dushanbe in 2009), the Government of Tajikistan established a commission to study the impact of industrial plants on the environment in the afflicted regions of the Republics of Uzbekistan and Tajikistan. The State Environmental Protection Committee of Uzbekistan submitted a draft programme of action under the Protocol to study the impact of industrial plants on environmental conditions in the afflicted regions of the Republics of Uzbekistan and Tajikistan. Tajikistan proposed some modifications to the draft, informing the official bodies of the Republic of Uzbekistan thereof in November and December 2009. Regrettably, what became of the document subsequently is not known, and the planned joint activities have not been implemented.

In order to make an objective assessment of the environmental situation in the afflicted areas and develop an agreed approach to addressing the parties' differences on environmental matters, Tajikistan proposes to Uzbekistan that there be constructive, bilateral dialogue at the parliamentary level and that a joint

international expert environmental commission be put in place. The participation of reputable, independent international experts and their issuance of research-based findings will make it possible not only to achieve an accurate understanding of the environmental impact of the industrial plants located in the border areas of Tajikistan and Uzbekistan, but will also enable our countries to work out a unified, integrated and rational approach to environmental protection and natural resource management.

At the initial stage, it would be advisable to determine the scope of the commission's powers and develop a plan for joint verification of the environmental impact of industrial plants in both countries' border areas. This approach would enable both Governments to jointly consider and make use of international legal and other mutually acceptable mechanisms to improve the environmental and public health situations in the adjacent afflicted areas of Tajikistan and Uzbekistan.